

**RULES
OF
THE TENNESSEE DEPARTMENT OF AGRICULTURE
DIVISION OF FORESTRY**

**CHAPTER 0080-7-1
PROTECTION OF STATE FORESTS**

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0080-7-1-.01 APPLICABILITY AND SCOPE

Tennessee State Forests belong to the people of the State of Tennessee and are for the use of the public. All visitors are welcome. To prevent the abuse and misuse of the privileges, natural resources and facilities provided, the following rules and regulations governing public use are adopted.

Authority: *T.C.A. §§4-3-201 et seq., 11-1-101 et seq., 11-4-101 et seq., and Executive Order No. 41 (February 4, 1991).* **Administrative History:** *Original rule filed December 6, 2000; effective April 30, 2001.*

0080-7-1-.02 DEFINITIONS

- (1) "Commissioner" means the commissioner of agriculture;
- (2) "Department" means the department of agriculture;
- (3) "District Forester" means the official in charge of a Forestry District or their representative;
- (4) "Division" means the division of forestry within the department;
- (5) "Multiple use" means the management and use of forests such that a variety or mix of natural resource benefits are derived from that land. "Multiple use" includes, but is not limited to, a combination of timber production, demonstration, watershed protection, wildlife management, recreation, and aesthetics;
- (6) "Natural Resource" includes but is not limited to: fruit, timber, grass, rocks, roots, flowers, leaves, minerals, water, artifacts, and soil;
- (7) "State Forester" means the director of the division of forestry or his representative;
- (8) "State forests," means those lands owned by the state and/or administered under the jurisdiction of the division.

Authority: *T.C.A. §§4-3-201 et seq., 11-1-101 et seq., 11-4-101 et seq., and Executive Order No. 41 (February 4, 1991).* **Administrative History:** *Original rule filed December 6, 2000; effective April 30, 2001.*

0080-7-1-.03 NATURAL RESOURCES

- (1) Cutting, removal, gathering, planting, destruction or damaging of any natural resource is prohibited on any State Forest; provided, however, such actions may be carried out with the written authorization of the District Forester or under the District Forester's supervision.
- (2) The collection of plants, rocks, minerals, animal life, botanical specimens or other natural objects is prohibited. Provided however, persons officially representing reputable scientific or educational institutes may obtain authorization for such collecting from the District Forester where the objects collected will become part of a permanent collection open to the public and the scientific community.

Authority: T.C.A. §§4-3-201 et seq., 11-1-101 et seq., 11-4-101 et seq., and Executive Order No. 41 (February 4, 1991). **Administrative History:** Original rule filed December 6, 2000; effective April 30, 2001.

0080-7-1-.04 CAMPING

- (1) The District Forester may restrict camping in any State Forest, including locations and the times camping is allowed. This includes emergency restrictions when, in the opinion of the District Forester, conditions in an area normally open to the public are such as to endanger natural resources or the public.
- (2) Camping and the use of trailers or other camper units are permitted only at designated locations. The District Forester may issue written permits to persons desiring to camp in backcountry, or other isolated sections of a forest area. The District Forester may designate portions of a forest area in which such permits will not be required by marking on a map which shall be available for public inspection in the District Office.
- (3) Quiet shall be maintained in all campgrounds between the hours of 10:00 p.m. and 6:00 a.m.
- (4) The gathering of wood for use as fuel in campgrounds or picnic areas is limited to dead material on the ground, except where such gathering is prohibited by the District Forester by the posting of appropriate signs.
- (5) Camping equipment must be completely removed and camping sites cleaned and returned to their natural condition by campers before leaving.

Authority: T.C.A. §§4-3-201 et seq., 11-1-101 et seq., 11-4-101 et seq., and Executive Order No. 41 (February 4, 1991). **Administrative History:** Original rule filed December 6, 2000; effective April 30, 2001.

0080-7-1-.05 CLOSING ROADS, TRAILS, AND OTHER AREAS

- (1) The District Forester may establish a reasonable schedule of visiting hours for all portions of a Forest area.
- (2) The District Forester may temporarily close or restrict the public use of roads, trails and any or all portion of a State Forest when necessary for the protection of the area or the safety and welfare of visitors or property. Temporary closures extending beyond one hundred twenty (120) days must have the approval of the State Forester.
- (3) All persons shall abide by the officially posted signs designating closed areas and visiting hours.

(Rule 0080-7-1-.05, continued)

- (4) Tampering with posted signs or barricades, traveling on closed or restricted use roads, driving around or through signs or barricades marking closed or restricted areas, is a Class A misdemeanor, punishable as provided by general law.

Authority: T.C.A. §§4-3-201 et seq., 11-1-101 et seq., 11-4-101 et seq., 39-17-108, and Executive Order No. 41 (February 4, 1991). **Administrative History:** Original rule filed December 6, 2000; effective April 30, 2001.

0080-7-1-.06 TRANSPORTATION: SADDLE AND PACK ANIMALS AND OFF-ROAD VEHICLES

- (1) The District Forester may designate areas for use by certain types of transportation. Unauthorized off road travel by any means of transportation is prohibited.
- (2) Riders of saddle and pack animals are;
 - (a) Permitted only on those trails or routes designated for their use, unless the District Forester has issued a permit authorizing cross-county travel;
 - (b) Not permitted on paved or main-traveled roadways except where necessary for ingress to and egress from trails or privately owned property;
 - (c) Required to have, in their possession, evidence of a negative test for Equine Infectious Anemia.
- (3) Riders of motorcycles, trail bikes, all-terrain vehicles, bicycles and other off-road vehicles:
 - (a) May use only the unpaved roadways maintained by the Forestry Division and not the public roadways unless they and their vehicle are licensed for the public roadways;
 - (b) Must have all equipment in good working order with properly functioning mufflers and spark arresters;
- (4) The District Forester may designate certain areas for the use of off-road vehicles. These areas will be posted for such use and may be used only during daylight hours. Use of off-road vehicles in any area of a State Forest except on unpaved roadway maintained by the Forestry Division or in areas posted for use by off-road vehicles is strictly prohibited.

Authority: T.C.A. §§11-1-101 et seq., 11-4-101 et seq., 44-2-1302, 55-9-302, 4-3-201 et seq., and Executive Order No. 41 (February 4, 1991). **Administrative History:** Original rule filed December 6, 2000; effective April 30, 2001.

0080-7-1-.07 COMMERCIAL OPERATIONS

- (1) Engaging in a business or commercial solicitation of any kind within a State Forest is prohibited without a written permit from the District Forester or a fully executed contract with the Department of Agriculture, Forestry Division.

Authority: T.C.A. §§4-3-201 et seq., 11-1-101 et seq., 11-4-101 et seq., and Executive Order No. 41 (February 4, 1991). **Administrative History:** Original rule filed December 6, 2000; effective April 30, 2001.

0080-7-1-.08 GROUPS AND ORGANIZATIONS

(Rule 0080-7-1-.08, continued)

- (1) Public meetings, assemblies, gatherings, demonstrations, and other events are permitted within state forests on lands that are open to the general public provided a permit has been issued by the District Forester.
- (2) Any application for such a permit shall set forth the name of the applicant, the date, time, duration, nature and place of the proposed event, and estimate of the number of persons expected to attend, and a statement of equipment and facilities to be used.

Authority: T.C.A. §§4-3-201 et seq., 11-1-101 et seq., 11-4-101 et seq., and Executive Order No. 41 (February 4, 1991). **Administrative History:** Original rule filed December 6, 2000; effective April 30, 2001.

0080-7-1-.09 ABANDONED AND UNATTENDED PROPERTY

- (1) Abandoning vehicles or other personal property is prohibited in a State Forest. Leaving any vehicle or other personal property unattended for longer than 24 hours, without prior permission from the District Forester, constitutes abandonment. The District Forester may impound abandoned property.
- (2) In the event unattended property interferes with a safe and orderly management of the State Forest, the District Forester may impound it at any time.

Authority: T.C.A. §§4-3-201 et seq., 11-1-101 et seq., 11-4-101 et seq., and Executive Order No. 41 (February 4, 1991). **Administrative History:** Original rule filed December 6, 2000; effective April 30, 2001.

0080-7-1-.10 DISORDERLY CONDUCT AND VANDALISM

- (1) Disorderly conduct, as defined in T.C.A. §39-17-305 and vandalism as defined in T.C.A. §39-14-408 are prohibited in a State Forest.

Authority: T.C.A. §§4-3-201 et seq., 11-1-101 et seq., 11-4-101 et seq., and Executive Order No. 41 (February 4, 1991). **Administrative History:** Original rule filed December 6, 2000; effective April 30, 2001.

0080-7-1-.11 PENALTIES AND ASSISTANCE

- (1) Violation of these rules may be a misdemeanor and punishable under the general law relating to misdemeanors.
- (2) The District Forester may call upon any law enforcement officer or agencies and state departments and agencies for assistance in enforcing these rules and regulations.
- (3) Division of Forestry personnel will likewise provide assistance, when requested, to any law enforcement officer or agency or state department or agencies in enforcing state law or in the enforcement of the rules and regulations of other departments.

Authority: T.C.A. §§4-3-201 et seq., 11-1-101 et seq., 11-4-101 et seq., and Executive Order No. 41 (February 4, 1991). **Administrative History:** Original rule filed December 6, 2000; effective April 30, 2001.